

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
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Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haeefe, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC	J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF

May 26, 2022

The Honorable George B. Daniels
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

The Honorable Sarah Netburn
United States District Court
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square, Room 430
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Daniels and Judge Netburn:

On behalf of the Plaintiffs pursuing claims against Sudan pursuant to the Consolidated Amended Complaint ("CAC") at ECF No. 6539, we write to make two requests concerning modification of the briefing schedule and structure for any motion for reconsideration or objections to Judge Netburn's May 3, 2022 Report and Recommendation as to Sudan.

First, the CAC Plaintiffs respectfully request an extension of time for filing any motion for reconsideration, from June 2, 2022 to June 10, 2022. This additional extension is being requested due to intervening developments in the MDL, including unanticipated additional briefing in the turnover proceedings (*see* ECF No. 8020), and significant work relating to preparations for impending depositions of experts in the proceedings against the Kingdom of Saudi Arabia,¹ as well as family and vacation commitments surrounding the upcoming Memorial Day holiday.

Second, the CAC Plaintiffs respectfully request that the deadline for any objections to the Report be reset for two weeks after the Court resolves all issues raised by any motions for reconsideration, whether through an Order or issuance of a revised Report. In this regard, the

¹ Saudi Arabia served its expert reports on May 16, 2022. Collectively, the reports span 918 pages, and contain 2,561 citations. Plaintiffs are working in earnest to locate and collect the reliance materials identified by these experts in their reports, in anticipation of depositions beginning in early June.

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CAC Plaintiffs note that they have identified a number of housekeeping issues that they believe appropriate for reconsideration, relating to the timeliness of certain claims and procedural background of certain of the individual claims. We believe these matters impacted the Court's ultimate conclusions concerning the scope of substantive claims available to certain of the CAC Plaintiffs, and that addressing these issues on the front end through reconsideration would substantially streamline and likely obviate the need for objections relative to several issues.

The CAC Plaintiffs have conferred with Sudan, and Sudan has advised that it does not object to these proposals, provided that they are reciprocal and apply to any motion for reconsideration or objections to be filed by Sudan as well. The CAC Plaintiffs are in agreement with that request.

We thank the Court in advance for its attention to this matter.

Respectfully submitted,

COZEN O'CONNOR

By: /s/ Sean P. Carter

SEAN P. CARTER

COZEN O'CONNOR

One Liberty Place

1650 Market Street, Suite 2800

Philadelphia, PA 19103

Tel.: (215) 665-2105

Email: scarter1@cozen.com

On behalf of the CAC Plaintiffs

MOTLEY RICE LLC

By: /s/ Robert T. Haefele

ROBERT T. HAEFELE

MOTLEY RICE LLC

28 Bridgeside Boulevard

Mount Pleasant, SC 29465

Tel.: (843) 216-9184

Email: rhaefele@motleyrice.com

On behalf of the CAC Plaintiffs

cc: All MDL Counsel of Record (via ECF)